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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-----------------------|------------------|
| 09/680,021 | 10/05/2000 | Stephen Sean Ospalak | 9411-20US (36142/279) | 9062 |
| 26389 | 7590 | 03/11/2004 | EXAMINER | |
| CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347 | | | TRAN, PABLO N | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2685 | 7 |
| DATE MAILED: 03/11/2004 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/680,021

Applicant(s)

OSPALAK ET AL.

Examiner

Pablo N Tran

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) 37-45 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 16-24 is/are rejected.
- 7) ☒ Claim(s) 14, 15 and 25-35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-36, in Paper No. 6 is acknowledged.
2. Claims 37-45 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 6.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-10, 23-24, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Torrey et al.* (6,466,799).

As per claims 1-3, 6, and 16, *Torrey et al.* disclosed a docking station (fig. 1A/no. 120, fig. 2A/no. 220) for interfacing a wireline telephone installation to a handheld wireless telephone having translation means (abstract, col. 4/ln.15-34) for translating communication signals between the handheld wireless telephone (fig. 2A/no. 200) and

the wireline telephone (fig. 2A/no. 231-235), a main controller box (fig. 2A/no. 220), and wired means for connecting the docking station to the wireline telephone (fig. 2A).

Torrey et al. disclosed a connecting module (fig. 2A/no. 210, col. 4/ln. 22-25) but the docking station lacking such automatic locking mechanism. However, such is notoriously well known in the art that the examiner takes Official Notice of such. Therefore, it would have been obvious to one of ordinary skill in the art to provide such locking mechanism, well known, to the docking station of *Torrey et al.* in order for the docking station to securely holding the wireless telephone when placed within the connecting module.

As per claim 5, *Torrey et al.* disclosed such first data bus connector but do not specifically disclosed a second data bus connector for connection to the main controller box. However, such is notoriously well known in the art that the examiner takes Official Notice of such. Therefore, it would have been obvious to one of ordinary skill in the art to provide such second data bus connector for connection to the main controller box, well known, to the docking station of *Torrey et al.* in order to provide flexibility to the user that such wireless handset can be carry abroad and can enabling the wireless handset to be used as wire line network terminal in order to save billing charges.

As per claims 7-9, *Torrey et al.* disclosed the retaining means of the connecting module defining a cup and the cup further comprising a data bus connector (fig. 1A & fig. 1B).

As per claim 10, *Torrey et al.* do not specifically disclosed the wireless telephone is retained in the cup by friction. However, such is notoriously well known in the art that

Art Unit: 2685

the examiner takes Official Notice of such. Therefore, it would have been obvious to one of ordinary skill in the art to provide such friction by the cup, well known, to the connecting module of *Torrey et al.* in order for the docking station to securely holding the wireless telephone when placed within the connecting module.

As per claims 23-24, *Torrey et al.* disclosed means for connecting the docking station to the computer (col. 2/ln. 30-33).

5. Claims 4, 11-13, and 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Torrey et al.* (6,466,799) in view of *Levanto et al.* (EP0660628A2).

As per claims 4, 11, and 13, *Torrey et al.* do not specifically disclosed the translation means is located within the releasable connecting module. However, such is well known in the art, as taught by *Levanto et al.* (col. 2/ln. 49-col. 3/ln. 41). Therefore, it would have been obvious to one of ordinary skill in the art to provide such translation mean located within the connecting module, as taught by *Levanto et al.*, to the communication system of *Torrey et al.* to enabling the mobile radiotelephone to be used as wire line network terminal.

As per claim 12, *Torrey et al.* disclosed the retaining means of the connecting module defining a cup and the cup further comprising a data bus connector (fig. 1A & fig. 1B).

As per claims 17-22, the modified system of *Torrey et al.* does not specifically the wireless telephone network is a digital PCS, AMPS, CDMA, GSM, TDMA, or iDEN networks. However, such is notoriously well known in the art that the examiner takes

Art Unit: 2685

Official Notice of such. Therefore, it would have been obvious to one of ordinary skill in the art to provide such networks, well known, to the communicating systems of *Torrey et al.* in order to provide flexibility to the user.

Allowable Subject Matter

6. Claims 14-15 and 25-35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shealtiel (US2002/0106993A1), Van Der Salm (6,343,220), Jadoul (6,240,297), Wenk et al. (6,253,088), Rosen et al. (6,470,187), Jonsson et al. (5,903,833), Jonsson (5,915,224), Baker et al. (6,295,456), Foladare et al. (6,044,267), and Longginou (WO9523485) disclose radiotelephone communication system.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (703)308-7941. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)305-4385.

Art Unit: 2685

Any response to this action should be mailed to:

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Washington, D.C. 20231

or faxed to:

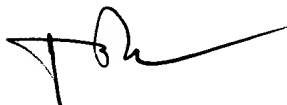
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

PABLO N. TRAN
PRIMARY EXAMINER

March 5, 2004



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